

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 2, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer
Susan Starcher, County Clerks Office

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 25, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated June 25, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence for June, 2002 was presented to Candace C. Jorgensen, Correctional Officer with the Lancaster County Corrections Department.

2) **SPECIAL PRESENTATIONS CONTINUED:**

**B. Lincoln-Lancaster County Breast Feeding Policy - Bonnie Coffey,
Lincoln-Lancaster Women's Commission**

Bonnie Coffey, Lincoln-Lancaster Women's Commission, presented the Lincoln-Lancaster County Breast Feeding Policy and requested the Board's approval.

No action taken.

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 755-0013324, dated June 17, 2002, payable to the Lancaster Manor Revolving Fund, in the amount of \$10. This payment is for two CDL learners permits (Kathleen Allison and Linda Covert). (See Personnel Policy Bulletin 2002-2, Fees and AFSCME contract, Article 25, Section 7.)

In response to a question asked by Campbell, Diane Staab, Deputy County Attorney, referred to the Lancaster County Personnel Policy Bulletin pertaining to fees and stated the employee must pay the fee for the learner's permit.

MOTION: Hudkins moved and Campbell seconded denial of Payment Voucher 755-0013324, dated June 17, 2002 payable to the Lancaster Manor Revolving Fund, in the amount of \$10. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

B. Payment Voucher 755-0013317, dated June 17, 2002, payable to the Nebraska Safety Council, in the amount of \$40. This payment is for a "Defensive Driving Course" taken by Kathleen Allison to obtain a CDL license (see Personnel Policy Bulletin 2002-2, Fees).

Staab stated it was her understanding that a defensive driving course is not a requirement in obtaining a Commercial Drivers License (CDL). She stated the County does pay for employee training when it is reasonable and necessary and that it may be possible to reimburse the fee under training.

4) **CLAIMS FOR REVIEW CONTINUED:**

Campbell asked if other departments pay for driving courses and suggested that the claim be held.

Staab stated she couldn't answer Campbell's question and recommended that the claim be held for further review.

MOTION: Campbell moved and Stevens seconded to hold Payment Voucher 755-0013317, dated June 17, 2002, payable to the Nebraska Safety Council, in the amount of \$40, for one week to allow for further review. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

C. Payment Vouchers 645-5322 through 645-5333, dated June 1, 2002. Lancaster County Cooperative Extension has requested payment to 12 individuals, totaling \$970, for mileage between July, 2001 and June, 2002, for attending the County Extension Board meetings. The claim period is over 90 days old (see State Statute § 23-135).

Heier inquired about the mileage.

Staab stated it is customary for individuals to document their starting point, where they are going and the number of miles traveled.

MOTION: Heier moved and Hudkins seconded to hold Payment Vouchers 645-5322 through 645-5333, dated June 1, 2002 from the Lancaster County Cooperative Extension Office for clarification of mileage. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **CLAIMS:** **Approval of all claims processed through Tuesday, July 2, 2002.**

MOTION: Campbell moved and Heier seconded approval of all claims processed through July 2, 2002. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

- A. **An application for Corporate Manager for Dana Evans Lippold, submitted by Corporate Golf Marketing Inc. d/b/a Hi Mark Golf Club, located at 9003 Pioneers Boulevard, in connection with their Class M (Bottle Club) liquor license.**

The Chair opened the public hearing.

Dana Lippold, applicant, appeared and stated he had been employed at Hi Mark Golf Club for approximately two years. The previous manager, he said, was no longer with the golf club.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

MOTION: Campbell moved and Heier seconded approval of an application for Corporate Manager for Dana Evans Lippold, submitted by Corporate Golf Marketing Inc. d/b/a Hi Mark Golf Club, located at 9003 Pioneers Boulevard, in connection with their Class M (Bottle Club) liquor license. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

7) **NEW BUSINESS:**

- A. **Adoption of the Lancaster County Local Emergency Operations Plan. (A final draft of the plan is available for inspection in the County Clerk's Office.)**

Doug Ahlberg, Emergency Management Coordinator, briefly reviewed the process used to update the Local Emergency Operations Plan noting that the last update was in 1996. He said a newly completed update of the plan is at the Nebraska Emergency Management Agency for review, approval and printing.

Ahlberg presented the Clerk a resolution requesting the County Board's approval of the Local Emergency Operations Plan for Lancaster County.

The Clerk read the resolution into the record.

MOTION: Campbell moved and Heier seconded approval of Resolution 02-0071 adopting the Lancaster County Local Emergency Operations Plan. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- B. An application for a Special Designated License from the Wine Merchants, Inc. to hold a fund raising event on Wednesday, July 17, 2002 from 5 p.m. to 9 p.m. at 6201 Pine Lake Road.**

Commissioners Campbell and Stevens declared a conflict of interest.

MOTION: Hudkins moved and Heier seconded approval of an application for a Special Designated License from the Wine Merchants, Inc. to hold a fund raising event on July 17, 2002 from 5 p.m. to 9 p.m. at 6201 Pine Lake Road. Workman, Hudkins and Heier voted aye. Campbell and Stevens abstained from voting. Motion carried.

- C. Applications for Special Designated Licenses from 134th and "O" Street Partnership d/b/a Crooked Creek Golf, located at 333 South 134th Street, to hold golfing events as follows:**

- ▶ **Sunday, August 11, 2002 from 7 a.m. to Noon**
- ▶ **Sunday, September 8, 2002 from 7 a.m. to Noon**

Michael Rierden, attorney representing Crooked Creek Golf, appeared to answer any questions.

MOTION: Heier moved and Hudkins seconded approval of applications for Special Designated Licenses from 134th and "O" Street Partnership d/b/a Crooked Creek Golf, located at 333 South 134th Street, to hold golfing events on August 11, 2002 from 7 a.m. to Noon and on September 8, 2002 from 7 a.m. to Noon. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

- D. A contract with Wyuka Cemetery for cremations and/or burials as outlined in Lancaster County's *Guidelines for General Assistance*, beginning March 1, 2001 and ending February 28, 2003. (C-02-0279)**

MOTION: Campbell moved and Hudkins seconded approval of a contract with Wyuka Cemetery for cremations and/or burials as outlined in Lancaster County's *Guidelines for General Assistance*, beginning March 1, 2001 and ending February 28, 2003.

Stevens questioned why the contract goes one year beyond its termination date and asked if language should be included regarding a 30 day notice of termination at the end of the contract period.

7) **NEW BUSINESS CONTINUED:**

Kerry Eagan, Chief Administrative Officer, stated the Board would be able to give a 30 day written notice prior to February 28, 2003 if they chose not to renew.

Vince Mejer, Purchasing Agent, stated his department would interpret it to be an option to renew by both parties. If either party chose not to renew they would need to submit a 30 day written notice prior to the contract period ending.

ROLL CALL: Campbell, Heier, Stevens, Workman and Hudkins voted aye.
Motion carried.

E. An addendum to the General Assistance burial contract with Wyuka Cemetery providing for the installation of an ossuary for \$500 and a \$50 fee for inurnment of unclaimed cremains. (C-02-0280)

Eagan explained that the addendum would allow for the installation of an ossuary which would hold cremains from various unclaimed bodies. In addition, the addendum would also allow for a tracking system of the cremains.

MOTION: Campbell moved and Stevens seconded approval of an addendum to the General Assistance burial contract with Wyuka Cemetery providing for the installation of an ossuary for \$500 and a \$50 fee for inurnment of unclaimed cremains. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

F. A user's agreement with Union Title Company for remote access to Lancaster County records. The user will have access to Oasis and Special Assessments, as well as District Court. The user pays 12 cents per transaction. (C-02-0281)

MOTION: Hudkins moved and Heier seconded approval of a user's agreement with Union Title Company for remote access to Lancaster County records.

Stevens stated the fee should be .012 cents per transaction, not 12 cents.

ROLL CALL: Campbell, Hudkins, Heier, Workman and Stevens voted aye.
Motion carried.

7) **NEW BUSINESS CONTINUED:**

G. A resolution declaring the intent of the County of Lancaster, Nebraska to proceed with the issuance of industrial development revenue bonds for Plastic Companies Enterprises, Inc. for the acquisition and installation of equipment, not to exceed \$1,500,000. (R-02-0070)

Sam Featherstone, Chief Executive Officer of Plastic Companies Enterprises, Inc., stated the bonds would be for the purchase of injection molding equipment for HTI Plastics and Geist Manufacturing, Inc.

Shelly Carpenter, Chief Financial Officer for Plastic Companies Enterprises, Inc., appeared and stated approximately 100 individuals are employed at the Lincoln plant.

MOTION: Campbell moved and Hudkins seconded approval of Resolution 02-0070 declaring the intent of the County of Lancaster, Nebraska to proceed with the issuance of industrial development revenue bonds for Plastic Companies Enterprises, Inc. for the acquisition and installation of equipment, not to exceed \$1,500,000. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

H. Approval of notice of intent to seek reimbursement pursuant to Neb. Rev. Stat. § 29-3933 in Fiscal Year 2003 for meeting standards set by the Nebraska Commission on Public Advocacy relating to felony cases as they apply to the Lancaster County Public Defender's Office.

Dennis Keefe, Public Defender, appeared and explained that the statute which authorizes the State to reimburse the County for meeting indigent defense standards requires the County to give notice prior to July 15th. He indicated that the memorandum would comply with the requirement that notice be given.

MOTION: Campbell moved and Stevens seconded approval of a notice of intent to seek reimbursement pursuant to Neb. Rev. Stat. § 29-3933 in Fiscal Year 2003 for meeting standards set by the Nebraska Commission on Public Advocacy relating to felony cases as they apply to the Lancaster County Public Defender's Office. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

- I. **Recommendation from the Purchasing Department and Families First and Foremost (F³) to authorize a sole source purchase request to enter into lease negotiations with Wraparound Milwaukee for the internet based "Synergy" software system which integrates with F³'s clinical, demographic, financial and provider network data for a comprehensive system of care. Details of the lease will be negotiated by Families First and Foremost, the County Attorney's Office and the Purchasing Department and brought back to the County Board in the form of a final lease agreement. (B-02-0029)**

Renee' Dozier, Service Development Director with Families First and Foremost, gave a brief explanation of the software.

Mary Ann Castillo, Executive Assistant with Families First and Foremost, stated they would be leasing the software for the first year. If they choose to purchase the software the lease amount would be applied toward the purchase.

MOTION: Campbell moved and Stevens seconded approval of the recommendation from the Purchasing Department and Families First and Foremost to authorize a sole source purchase request to enter into lease negotiations with Wraparound Milwaukee for the internet based "Synergy" software system which integrates with Families First and Foremost clinical, demographic, financial and provider network data for a comprehensive system of care. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

J. **Appointments to the Community Mental Health Center Advisory Committee:**

- ▶ **Patricia S. Talbott** to fulfill the unexpired term of Sandy Carmichael, which ends December 31, 2002 and for an additional term of three years, beginning January 1, 2003 and ending December 31, 2005.
- ▶ **Carol Countryman** to fulfill the unexpired term of John Clark, ending December 31, 2003.

MOTION: Campbell moved and Heier seconded approval of the appointments of Patricia S. Talbott and Carol Countryman to the Community Mental Health Center Advisory Committee. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. A referee agreement with Sally A. Webster to hear valuation protests and transmit information to the Lancaster County Board of Equalization for the 2002 tax year at a rate of \$55 per hour. (C-02-0296)

2. Accountability and Disclosure Opinion for Kathy Campbell.

B. Setting of public hearings for Tuesday, July 16, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:

1. County Special Permit 194, Stevens Creek Estates Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, consisting of four single family acreage lots, on property generally located at 190th Street and Havelock Avenue in Lancaster County, Nebraska.

2. County Preliminary Plat 02010, Stevens Creek Estates, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, consisting of four single family acreage lots, with requests to waive street trees, street lighting, landscape screens, sidewalks and block length, on property generally located at 190th Street and Havelock Avenue in Lancaster County, Nebraska.

C. Requests from Kelly Rutherford and Lori Weiler, employees at Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan.

8) CONSENT ITEMS CONTINUED:

- D. A resolution authorizing the following traffic signs in Lancaster County, Nebraska: (R-02-0069)
- ▶ Removal of the "Pavement Ends" sign on North 70th Street north of Arbor Road for northbound traffic.
 - ▶ Removal of the 50 mile per hour speed limit sign on North 70th Street north of the Interstate 80 overpass for northbound traffic.
 - ▶ Installation of a 55 mile per hour speed limit sign on North 70th Street for northbound traffic at the Lincoln City limits. (Approximately 1100 feet south of Arbor Road.)
 - ▶ Installation of a "Reduced Speed Ahead" sign on North 70th Street for southbound traffic 350 feet in advance of the City of Lincoln's existing speed limit sign located at the Lincoln City limits.
- E. A leasehold agreement relating to road improvements between the Lancaster County Engineering Department and Steve Hollman, in the amount of \$10, west of the Southwest 42nd Street and West Bennet Road intersection; Project C.P.T-39. (C-02-0282)
- F. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- ▶ Danny J. and Tammy L. Aksamit, in the amount of \$ \$286.50, east of the Southwest 119th Street and Saltillo Road intersection; Project C.P.N-82. (C-02-0283)
 - ▶ Darwin L. and Karen J. Blue south of the Southwest 114th Street and Wittstruck Road intersection; Project C.P.-U-68. This is a donation. (C-02-0284)
 - ▶ Mary A. Hartman north of the North 134th Street and Alvo Road intersection; Project 02-0285. This is a donation. (C-02-0285)
 - ▶ Adolph E. Lange, Trustee, in the amount of \$77.50, south of the Northwest 98th Street and West Middle Road intersection; Project C.P.D-9. (C-02-0286)
 - ▶ Kenneth Rosburg, in the amount of \$112, west of the Southwest 42nd Street and West Bennet Road intersection; Project C.P.T-39. (C-02-0287)
 - ▶ Marianne R. Teser, in the amount of \$176.25, west of the Southwest 114th Street and West Panama Road intersection; Project C.P.V-109. (C-02-0288)
 - ▶ Arlyn A. and Judith A. Wohl west of the Southwest 128th Street and West Panama Road intersection; Project C.P.V-112. This is a donation. (C-02-0289)

8) CONSENT ITEMS CONTINUED:

- ▶ L & W Land Corporation, in the amount of \$5,999, at the intersection of South 120th and Van Dorn Streets; Project C55-J-409(1). (C-02-0290)
- ▶ Dale C. Etmund east of the Southwest 54th Street and Bennet Road intersection; Project C.P.S-216. This is a donation. (C-02-0291)
- ▶ Ronald and Ervin Eltz south of the Southwest 114th Street and West Wittstruck Road intersection; Project C.P.-U-68. This is a donation. (C-02-0292)
- ▶ Dean L. and Darlene M. Petersen, in the total amount of \$1,990, at 14400 Old Cheney Road; Project C55-Q-407(1). (2 contracts) (C-02-0293 and C-02-0294)

MOTION: Campbell moved and Hudkins seconded approval of the Consent Items. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

9) ADJOURNMENT:

MOTION: At 2:35 p.m. Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 2, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer
Susan Starcher, County Clerks Office

The Board of Equalization meeting was convened at 2:35 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 25, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated June 25, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 29 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Hudkins moved and Stevens seconded approval of 29 additions and deductions to the tax assessment rolls. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: At 2:38 p.m. Heier moved and Campbell seconded adjournment of the Board of Equalization meeting. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk